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Gary R. Bego  
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Re: Adopted Narcotic Treatment Program (NTP) rules

The newly adopted "Minimum Standards for Narcotic Treatment Programs" became effective January 10, 2002. The rules contain amended, repealed, and new language in order to conform with the current federal requirements promulgated by the Substance Abuse and Mental Health Services Administration (SAMHSA). In addition, the adopted rules clarify and update new program application procedures, program delinquency fees, program operations, and enforcement procedures. The major changes are outlined as followed:

- Amended §229.143 covers services and participation of medication units.
- Amended §229.144 updates titles of statutes and regulations pertaining to other health professionals and references to the new federal regulations. In addition, the paragraph regarding death reporting was relocated to section 229.148.
- Amended §229.145 adds the requirement for a NTP to submit an annual status report and adds delinquency fees associated with annual renewal fee and annual status reports. In addition, the proposal updates and clarifies application and permit requirements to reflect SAMHSA as the federal regulatory agency.
- New §229.148 covers program operations that reflect best practices in the treatment of opiate addicts. The release of medical records was changed from 30 days to 15 days in order to be consistent with the Medical Practice Act. The number of random drug screens in the patient's first year of treatment is 12, then a minimum of 8 drug screens thereafter. The program must obtain written approval from the Texas Department of Health for additional unsupervised use beyond what the patient is eligible in accordance with the federal regulations.
- Amended §229.152 reflects the newly adopted federal regulations.
- New §229.153 includes enforcement procedures, administrative penalties, and severity levels.

If you require any further information, feel free to contact me, Ms. Jeri Bailey, Investigator, or Ms. Veronica Barrera, Investigator, at (512) 719-0237.

Sincerely,

Kim Y. Pham, Pharm.D.  
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